

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**DAVID S. KIRK,**  
*Plaintiff,*

**v.**

**CAROLYN W. COLVIN,**  
*Acting Commissioner of Social  
Security,<sup>1</sup>*

*Defendant.*

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**CIVIL ACTION**

**NO. 12-6727**

**ORDER**

**AND NOW**, this 28<sup>th</sup> day of May, 2013, upon consideration of Defendant's Uncontested Motion to Remand [Doc No. 14], and upon review of the Report and Recommendation of United States Magistrate Judge Henry S. Perkin [Doc. No. 15], it is hereby **ORDERED** that the Motion is **GRANTED** and this action is remanded to Defendant for further administrative proceedings. This remand is ordered pursuant to the fourth sentence of 42 U.S.C. § 405(g).

BY THE COURT:

S/Gene E.K. Pratter  
GENE E.K. PRATTER  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, she is substituted for Michael J. Astrue as the defendant in this case.